

**To:** O'Lone, Mary[olone.mary@epa.gov]; Farrell, Ericka[Farrell.Ericka@epa.gov]; Covington, Jeryl[Covington.Jeryl@epa.gov]  
**From:** Isales, Daniel  
**Sent:** Tue 8/30/2016 7:23:34 PM  
**Subject:** RE: 1st Draft Next Steps  
Next Steps 8 30 16 rev 2.docx

....  
,,.,,

With the exception of saying something about EJ SCREEN, which I purposely stayed away from, I think I addressed the comments which you provided. With that said, please review carefully to make sure. Even if you have no further comments, please reply to all saying so in order that we know when we can share with Lilian. If you do have comments, please just mark up the document accordingly (no comment bubbles-I don't think we have time for a further back and forth). Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

Isales.daniel@epa.gov

**From:** O'Lone, Mary  
**Sent:** Tuesday, August 30, 2016 2:00 PM  
**To:** Isales, Daniel ; Farrell, Ericka ; Covington, Jeryl  
**Subject:** RE: 1st Draft Next Steps

Dan-

My quick comments. I responded to Jeryl's comment about OAR data in one of my bubbles.

My draft briefing paper to come shortly.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Isales, Daniel

**Sent:** Tuesday, August 30, 2016 1:55 PM

**To:** Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>; O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>

**Subject:** FW: 1st Draft Next Steps

Sorry, meant to reply to all instead of just to Jeryl. Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

[Isales.daniel@epa.gov](mailto:Isales.daniel@epa.gov)

**From:** Isales, Daniel

**Sent:** Tuesday, August 30, 2016 1:55 PM

**To:** Covington, Jeryl <[Covington.Jeryl@epa.gov](mailto:Covington.Jeryl@epa.gov)>

**Subject:** RE: 1st Draft Next Steps

This is a useful gateway to the agriculture information on the EPA website:

<https://www.epa.gov/agriculture>

From there you can reach the FACA you are referencing:

<https://www.epa.gov/faca/frcc>

The current Agriculture advisor to the Administrator I believe is Ron Carleton.

Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

[Isales.daniel@epa.gov](mailto:Isales.daniel@epa.gov)

**From:** Covington, Jeryl

**Sent:** Tuesday, August 30, 2016 1:45 PM

**To:** Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>; O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>; Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>

**Subject:** RE: 1st Draft Next Steps

I recall hearing of an EPA coordinating office or staff that addresses issues with USDA on agricultural concerns. Does that office or staff still exist? Should we consider including this source as a potential resource?

I also recall during our meeting with OW, they noted that there is an agricultural working group that regularly meets with EPA. Reportedly, this working group includes both federal and industry professionals. Does this group sound familiar to you? If so, should this be a potential resource?

I don't know if these two groups are one and the same.

**From:** Isales, Daniel

**Sent:** Tuesday, August 30, 2016 12:17 PM

**To:** O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>; Covington, Jeryl <[Covington.Jeryl@epa.gov](mailto:Covington.Jeryl@epa.gov)>; Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>

**Subject:** 1st Draft Next Steps

I've put together the first draft as promised. I'm largely out of pocket until mid-afternoon (past 3PM). Accordingly, I would suggest that whoever starts commenting first, circulate the markup to all and then the next person build upon that markup. So that there is no confusion as to who is working on it when, may I suggest that the three of you touch base among yourself to determine the order of review? Again, I'm not wedded to format or content, please fix as necessary. Thanks, Dan

P.S. Mary, please note the inclusion of tables in the content.

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

[Isales.daniel@epa.gov](mailto:Isales.daniel@epa.gov)

**To:** Farrell, Ericka[Farrell.Ericka@epa.gov]; O'Lone, Mary[olone.mary@epa.gov]; Covington, Jeryl[Covington.Jeryl@epa.gov]  
**From:** Isales, Daniel  
**Sent:** Tue 8/30/2016 8:00:45 PM  
**Subject:** RE: 1st Draft Next Steps  
Next Steps 8 30 16 rev 3.docx

....  
>>>>  
Ericka,

With respect to meeting with Complainants, I did try to address that in step 10-I've reworded that a little bit, but feel free to suggest alternative phrasing.

As to the RFI, I put a placeholder for that in step 4, although I got the sense that Lilian was opposed to that at the present time. Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

Isales.daniel@epa.gov

**From:** Farrell, Ericka  
**Sent:** Tuesday, August 30, 2016 3:51 PM  
**To:** Isales, Daniel ; O'Lone, Mary ; Covington, Jeryl  
**Subject:** RE: 1st Draft Next Steps-

Hey Dan,

I noticed at the end the meeting with the recipients and I thought there would be a meeting with the complainants/site visit before the recipients. I thought we were going to get our RFI together before meeting with the Recipients.

Ericka Farrell

202-564-0717

**From:** Isales, Daniel  
**Sent:** Tuesday, August 30, 2016 3:24 PM

**To:** O'Lone, Mary <OLone.Mary@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>;  
Covington, Jeryl <Covington.Jeryl@epa.gov>  
**Subject:** RE: 1st Draft Next Steps

With the exception of saying something about EJ SCREEN, which I purposely stayed away from, I think I addressed the comments which you provided. With that said, please review carefully to make sure. Even if you have no further comments, please reply to all saying so in order that we know when we can share with Lilian. If you do have comments, please just mark up the document accordingly (no comment bubbles-I don't think we have time for a further back and forth). Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

[Isales.daniel@epa.gov](mailto:Isales.daniel@epa.gov)

**From:** O'Lone, Mary

**Sent:** Tuesday, August 30, 2016 2:00 PM

**To:** Isales, Daniel <Isales.Daniel@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>;  
Covington, Jeryl <Covington.Jeryl@epa.gov>

**Subject:** RE: 1st Draft Next Steps

Dan-

My quick comments. I responded to Jeryl's comment about OAR data in one of my bubbles.

My draft briefing paper to come shortly.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Isales, Daniel

**Sent:** Tuesday, August 30, 2016 1:55 PM

**To:** Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>; O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>

**Subject:** FW: 1st Draft Next Steps

Sorry, meant to reply to all instead of just to Jeryl. Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

[Isales.daniel@epa.gov](mailto:Isales.daniel@epa.gov)

**From:** Isales, Daniel

**Sent:** Tuesday, August 30, 2016 1:55 PM

**To:** Covington, Jeryl <[Covington.Jeryl@epa.gov](mailto:Covington.Jeryl@epa.gov)>

**Subject:** RE: 1st Draft Next Steps

This is a useful gateway to the agriculture information on the EPA website:

<https://www.epa.gov/agriculture>

From there you can reach the FACA you are referencing:

<https://www.epa.gov/faca/frcc>

The current Agriculture advisor to the Administrator I believe is Ron Carleton.

Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

[Isales.daniel@epa.gov](mailto:Isales.daniel@epa.gov)

**From:** Covington, Jeryl

**Sent:** Tuesday, August 30, 2016 1:45 PM

**To:** Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>; O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>; Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>

**Subject:** RE: 1st Draft Next Steps

I recall hearing of an EPA coordinating office or staff that addresses issues with USDA on agricultural concerns. Does that office or staff still exist? Should we consider including this source as a potential resource?

I also recall during our meeting with OW, they noted that there is an agricultural working group that regularly meets with EPA. Reportedly, this working group includes both federal and industry professionals. Does this group sound familiar to you? If so, should this be a potential resource?

I don't know if these two groups are one and the same.

**From:** Isales, Daniel

**Sent:** Tuesday, August 30, 2016 12:17 PM

**To:** O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>; Covington, Jeryl <[Covington.Jeryl@epa.gov](mailto:Covington.Jeryl@epa.gov)>; Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>

**Subject:** 1st Draft Next Steps

I've put together the first draft as promised. I'm largely out of pocket until mid-afternoon (past 3PM). Accordingly, I would suggest that whoever starts commenting first, circulate the markup to all and then the next person build upon that markup. So that there is no confusion as to who is working on it when, may I suggest that the three of you touch base among yourself to determine the order of review? Again, I'm not wedded to format or content, please fix as necessary.

Thanks, Dan

P.S. Mary, please note the inclusion of tables in the content.

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III



Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

[Isales.daniel@epa.gov](mailto:Isales.daniel@epa.gov)

**To:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Temple, Kurt  
**Sent:** Wed 12/14/2016 3:14:52 PM  
**Subject:** RE: new draft of REACH letter

Mary: Lilian wants us to take a look **after** all GC comments and **before** sending to Ken.

Kurt

Begin forwarded message:

**From:** "O'Lone, Mary" <OLone.Mary@epa.gov>  
**Date:** December 13, 2016 at 9:42:17 PM EST  
**To:** "Temple, Kurt" <Temple.Kurt@epa.gov>  
**Subject:** RE: new draft of REACH letter

Kurt-

I am now incorporating a round of comments from you, Laurie Gelman, Dan, Adam, Johanna & Lilian's bigger picture comments.

I am hoping to get it to my chain & Lilian by Thursday.

I thought Lilian might want to see it post-my chain's review before it goes to Ken.

If Lilian wants it to go to her, my chain, & Ken simultaneously, let me know & I will see if my chain has any concerns with regard to that.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Temple, Kurt

**Sent:** Tuesday, December 13, 2016 11:38 AM

**To:** O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>

**Subject:** Re: new draft of REACH letter

Mary: Is the latest version of the REACH letter the one that is attached to this chain? I just spoke to Lilian. She is on the road and gave me a few comments. She will likely not be able to look at it today. She will look at it whatever the latest is when she gets back. So that being said, I want to review your latest, provide any comments that I have, so that you can then share forward. Lilian also mentioned getting a draft to Ken by Thursday.

Thanks, Kurt

---

**From:** O'Lone, Mary

**Sent:** Monday, December 12, 2016 7:53:18 AM

**To:** Dorka, Lilian; Isales, Daniel

**Cc:** Rhodes, Julia; Temple, Kurt; Covington, Jeryl; Farrell, Ericka

**Subject:** RE: new draft of REACH letter

Will look at letter with your comments in mind.

I can flip it around to say this is what our investigation has found and at the end somehow say what we've said above should address your questions of X, Y, Z. And we already addressed your arguments about A & B last time.

Can you get your hotel to print out a version by hooking up your phone? Then they can print it out for you, then you fax back a markup?

Will run next version by my chain & then to Ken et al.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Dorka, Lilian

**Sent:** Sunday, December 11, 2016 9:39 PM

**To:** O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>; Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>

**Cc:** Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>; Temple, Kurt <[Temple.Kurt@epa.gov](mailto:Temple.Kurt@epa.gov)>; Covington, Jeryl <[Covington.Jeryl@epa.gov](mailto:Covington.Jeryl@epa.gov)>; Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>

**Subject:** Re: new draft of REACH letter

Hi folks I didn't get to finish reviewing the letter on Friday and unfortunately I left my mark up at home by mistake. I am now in Atlanta and unable to open the draft from the hotel computer. I will try and finish reading it on my phone but not easy. All this to say that I don't know if I will be able to send comments to you Mary by tomorrow.

Jeryl, Kurt ( and Ericka if she is back) can you share any comments you have with Mary tomorrow? Mary we also. Red to share it w Ken in region 4 once we are comfortable. I do still have the general comments about framing that I had on Friday- see below. Thx!

Thanks!

Sent from my iPhone

On Dec 9, 2016, at 9:50 AM, Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)> wrote:

I had started reviewing last version but will go ahead and review this version. I mentioned this before, I think we need to start the letter with the purpose: Request a meeting with NCDEQ to share results of OCR's preliminary investigation of the following issues:

X

X

## Ex. 5 - Deliberative Process

Re- reading now and after my 10 meeting and will send comments.

Lilian Sotolongo Dorka

Acting Director, EPA, Office of Civil Rights

202-564-9649

WJC-N Room 2450

**From:** O'Lone, Mary

**Sent:** Friday, December 09, 2016 9:06 AM

**To:** Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>; Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)>

**Cc:** Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>

**Subject:** Re: new draft of REACH letter

All-

I have addressed Dan's comments where I had something to add.

I adopted his editorial changes.

So please review this copy.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

---

**From:** Isales, Daniel  
**Sent:** Friday, December 9, 2016 8:31:55 AM  
**To:** O'Lone, Mary; Dorka, Lilian  
**Cc:** Rhodes, Julia  
**Subject:** RE: new draft of REACH letter

Letter with some additional suggestions/thoughts attached. I would suggest that the letter also be circulated to Jeryl, Ericka and Kurt at this time, but Lilian that is obviously your call. Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

[Isales.daniel@epa.gov](mailto:Isales.daniel@epa.gov)

**From:** O'Lone, Mary

**Sent:** Thursday, December 08, 2016 10:47 PM

**To:** Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)>; Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>

**Cc:** Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>

**Subject:** new draft of REACH letter

Lilian & Dan-

Here is a new draft. I would like to get your comments by Monday morning so I can process them & get a draft out to my chain on Tuesday. I haven't circulated beyond you two (and now Julia). I don't know how you would like to incorporate the rest of the OCR team in the review. I leave that to you two.

## **Ex. 5 - Atty Client/Deliberative Process**

I will continue to re-read the incoming letter to make sure that our letter addresses all the major points, but let me know if I missed something.

FYI, the NC administration changes January 7<sup>th</sup>.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

<draft Dec 2016 letter to NC DEQ 2016.12.08 dli.mmo.docx>



**To:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Temple, Kurt  
**Sent:** Tue 12/13/2016 4:38:01 PM  
**Subject:** Re: new draft of REACH letter

Mary: Is the latest version of the REACH letter the one that is attached to this chain? I just spoke to Lilian. She is on the road and gave me a few comments. She will likely not be able to look at it today. She will look at it whatever the latest is when she gets back. So that being said, I want to review your latest, provide any comments that I have, so that you can then share forward. Lilian also mentioned getting a draft to Ken by Thursday.

Thanks, Kurt

---

**From:** O'Lone, Mary  
**Sent:** Monday, December 12, 2016 7:53:18 AM  
**To:** Dorka, Lilian; Isales, Daniel  
**Cc:** Rhodes, Julia; Temple, Kurt; Covington, Jeryl; Farrell, Ericka  
**Subject:** RE: new draft of REACH letter

Will look at letter with your comments in mind.

I can flip it around to say this is what our investigation has found and at the end somehow say what we've said above should address your questions of X, Y, Z. And we already addressed your arguments about A & B last time.

Can you get your hotel to print out a version by hooking up your phone? Then they can print it out for you, then you fax back a markup?

Will run next version by my chain & then to Ken et al.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Dorka, Lilian

**Sent:** Sunday, December 11, 2016 9:39 PM

**To:** O'Lone, Mary <OLone.Mary@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>

**Cc:** Rhodes, Julia <Rhodes.Julia@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>

**Subject:** Re: new draft of REACH letter

Hi folks I didn't get to finish reviewing the letter on Friday and unfortunately I left my mark up at home by mistake. I am now in Atlanta and unable to open the draft from the hotel computer. I will try and finish reading it on my phone but not easy. All this to say that I don't know if I will be able to send comments to you Mary by tomorrow.

Jeryl, Kurt ( and Ericka if she is back) can you share any comments you have with Mary tomorrow? Mary we also. Red to share it w Ken in region 4 once we are comfortable. I do still have the general comments about framing that I had on Friday- see below. Thx!

Thanks!

Sent from my iPhone

On Dec 9, 2016, at 9:50 AM, Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)> wrote:

I had started reviewing last version but will go ahead and review this version. I mentioned this before, I think we need to start the letter with the purpose: Request a meeting with NCDEQ to share results of OCR's preliminary investigation of the following issues:

X

X

# Ex. 5 - Deliberative Process

Re- reading now and after my 10 meeting and will send comments.

Lilian Sotolongo Dorka

Acting Director, EPA, Office of Civil Rights

202-564-9649

WJC-N Room 2450

**From:** O'Lone, Mary

**Sent:** Friday, December 09, 2016 9:06 AM

**To:** Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>; Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)>

**Cc:** Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>

**Subject:** Re: new draft of REACH letter

All-

I have addressed Dan's comments where I had something to add.

I adopted his editorial changes.

So please review this copy.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

---

**From:** Isales, Daniel  
**Sent:** Friday, December 9, 2016 8:31:55 AM  
**To:** O'Lone, Mary; Dorka, Lilian  
**Cc:** Rhodes, Julia  
**Subject:** RE: new draft of REACH letter

Letter with some additional suggestions/thoughts attached. I would suggest that the letter also be circulated to Jeryl, Ericka and Kurt at this time, but Lilian that is obviously your call. Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

[Isales.daniel@epa.gov](mailto:Isales.daniel@epa.gov)

**From:** O'Lone, Mary  
**Sent:** Thursday, December 08, 2016 10:47 PM

**To:** Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)>; Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>  
**Cc:** Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>  
**Subject:** new draft of REACH letter

Lilian & Dan-

Here is a new draft. I would like to get your comments by Monday morning so I can process them & get a draft out to my chain on Tuesday. I haven't circulated beyond you two (and now Julia). I don't know how you would like to incorporate the rest of the OCR team in the review. I leave that to you two.

## **Ex. 5 - Atty Client/Deliberative Process**

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

<draft Dec 2016 letter to NC DEQ 2016.12.08 dli.mmo.docx>

**To:** O'Lone, Mary[OLone.Mary@epa.gov]; Wilson, Adam[wilson.adam@epa.gov]  
**From:** Johnson, Johahna  
**Sent:** Fri 12/9/2016 3:07:16 PM  
**Subject:** RE: new draft of REACH letter  
[draft Dec 2016 letter to NC DEQ 2016.12.08 jj.docx](#)

Hi Mary,

I have some minor tweaks to the letter. Please see attached.

Johahna Johnson

Civil Rights and Finance Law Office

Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-6119

**From:** O'Lone, Mary  
**Sent:** Thursday, December 08, 2016 10:48 PM  
**To:** Johnson, Johahna <Johnson.Johahna@epa.gov>; Wilson, Adam <wilson.adam@epa.gov>  
**Subject:** FW: new draft of REACH letter

J & A-

Please let me know if you have any comments by Monday morning.

If you are swamped with other things, no worries.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** O'Lone, Mary

**Sent:** Thursday, December 08, 2016 10:47 PM

**To:** Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)>; Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>

**Cc:** Julia Rhodes (<[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)> <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>

**Subject:** new draft of REACH letter

Lilian & Dan-

Here is a new draft. I would like to get your comments by Monday morning so I can process them & get a draft out to my chain on Tuesday. I haven't circulated beyond you two (and now Julia). I don't know how you would like to incorporate the rest of the OCR team in the review. I leave that to you two.

## Ex. 5 - Atty Client/Deliberative Process

I will continue to re-read the incoming letter to make sure that our letter addresses all the major points, but let me know if I missed something.

FYI, the NC administration changes January 7<sup>th</sup>.

Thanks, Mary



Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**To:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Tommelleo, Nancy  
**Sent:** Tue 10/4/2016 8:23:31 PM  
**Subject:** RE: REACH - request to set up call with R4 water folks

I am not coordinating on Chet. I just mentioned him as someone you all might want to talk to separately. I don't think he needs to be in on the regional call.

Tx -Nancy



*Nancy L. Tommelleo*

*Deputy Regional Counsel*

United States Environmental Protection Agency

Region 4

61 Forsyth Street, S.W.

Atlanta, Georgia 30303

tel: 404.562.9571

fax: 404.562.9663

[tommelleo.nancy@epa.gov](mailto:tommelleo.nancy@epa.gov)

**Confidentiality Notice:** This communication is being sent to you by an attorney and is intended only for the individual(s) or entity(s) to whom or to which it is addressed. This communication may contain information that is proprietary, privileged, enforcement confidential, or otherwise legally exempt from disclosure. If you have received this message in error, please notify the sender immediately by email and delete all copies of

this message.

**From:** O'Lone, Mary  
**Sent:** Tuesday, October 04, 2016 4:17 PM  
**To:** Tommelleo, Nancy <Tommelleo.Nancy@epa.gov>  
**Cc:** Farrell, Ericka <Farrell.Ericka@epa.gov>  
**Subject:** RE: REACH - request to set up call with R4 water folks

Nancy-

On Chet. Are you all coordinating with him to have him present? Or are you recommending he be included even though he is OAQPS, not R4?

Just wondering if the OCR invite to him will be coming out of the blue or he knows & is expecting it?

I am ccing Ericka who is making arrangements for the meeting.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Tommelleo, Nancy  
**Sent:** Monday, October 03, 2016 5:04 PM

**To:** O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>

**Subject:** RE: REACH - request to set up call with R4 water folks

I think 90 minutes. If we finish earlier – all the better.

N



*Nancy L. Tommelleo*

*Deputy Regional Counsel*

United States Environmental Protection Agency

Region 4

61 Forsyth Street, S.W.

Atlanta, Georgia 30303

tel: 404.562.9571

fax: 404.562.9663

[tommelleo.nancy@epa.gov](mailto:tommelleo.nancy@epa.gov)

**Confidentiality Notice:** This communication is being sent to you by an attorney and is intended only for the individual(s) or entity(s) to whom or to which it is addressed. This communication may contain information that is proprietary, privileged, enforcement confidential, or otherwise legally exempt from disclosure. If you have received this message in error, please notify the sender immediately by email and delete all copies of this message.

**From:** O'Lone, Mary  
**Sent:** Monday, October 03, 2016 4:58 PM  
**To:** Tommelleo, Nancy <[Tommelleo.Nancy@epa.gov](mailto:Tommelleo.Nancy@epa.gov)>  
**Subject:** RE: REACH - request to set up call with R4 water folks

Do you think 60 minutes or 90 minutes?

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Tommelleo, Nancy  
**Sent:** Monday, October 03, 2016 1:13 PM  
**To:** O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>  
**Cc:** Tommelleo, Nancy <[Tommelleo.Nancy@epa.gov](mailto:Tommelleo.Nancy@epa.gov)>  
**Subject:** RE: REACH - request to set up call with R4 water folks

Mary:

Here is a list of regional folks (15) that would want to participate in the staff level call on what the Region is currently doing in NC if you want to a Calendar Invite. They cover water, Air, EJ, enforcement, some of my legal folks, and OCR. They reflect a combination of staff and managers. My contact for helping set up the VTC (once you decide on date/time) is Angela

## **Ex. 6 - Personal Privacy**

### Water:

Denise Diaz

Tom McGill

Cesar Zapata

Dan O'lonc

Don Joe

Jim Giattina

### EJ

Denise Tennessee

### Enforcement

Scott Gordon

### Air

Carol Kemker

### Legal

Nancy Tommelleo

Carol Baschon

Paul Schwartz

Kim A. Jones

OCR

Ken Lapierre

Naima Halim-Chestnut

Also, you may know this, but OAQPS has been doing some emission inventory work in NC. The OAQPS contact for this is Richard (Chet) Wheylan.

Let me know date/times for the VTC.

Thanks

Nancy



*Nancy L. Tommelleo*

*Deputy Regional Counsel*

United States Environmental Protection Agency

Region 4

61 Forsyth Street, S.W.

Atlanta, Georgia 30303

tel: 404.562.9571

fax: 404.562.9663

[tommelleo.nancy@epa.gov](mailto:tommelleo.nancy@epa.gov)

**Confidentiality Notice:** This communication is being sent to you by an attorney and is intended only for the individual(s) or entity(s) to whom or to which it is addressed. This communication may contain information that is proprietary, privileged, enforcement confidential, or otherwise legally exempt from disclosure. If you have received this message in error, please notify the sender immediately by email and delete all copies of this message.

**From:** O'Lone, Mary

**Sent:** Wednesday, September 14, 2016 4:28 PM

**To:** Tommelleo, Nancy <[Tommelleo.Nancy@epa.gov](mailto:Tommelleo.Nancy@epa.gov)>

**Subject:** RE: REACH - request to set up call with R4 water folks

Nancy-

This would be a staff level call b/c we have a bunch of background questions about how & when R4 water folk interact with NC DEQ in the CWA context (*e.g.*, the 303(d) list, review of water quality standards, any petitions to withdraw NC's NPDES program). From here it would be me, Dan Isales, maybe Simma Kupchan and/or Jim Curtin (water attys in OGC who are the NPDES & TMDL experts in the CAFO area I have been talking to), & the 2 OCR people who are working on the investigation (Jeryl Covington & Ericka Farrell).

I mentioned to Lilian that we needed to get her to reach out to Ken to get the bigger picture overview of R4 activities in NC re: CAFOs and/or the communities we are talking about (*e.g.*, EJ activities, enforcement, water stuff too). But I haven't been able to make that happen yet.  
Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW



Washington, DC 20460

(202) 564-4992

**From:** Tommelleo, Nancy

**Sent:** Wednesday, September 14, 2016 3:52 PM

**To:** O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>

**Subject:** RE: REACH - request to set up call with R4 water folks

Mary: would be on this call from HQ? and is this the call that Lilian wanted to have with our Division Director level people?



*Nancy L. Tommelleo*

*Deputy Regional Counsel*

United States Environmental Protection Agency

Region 4

61 Forsyth Street, S.W.

Atlanta, Georgia 30303

tel: 404.562.9571

fax: 404.562.9663

[tommelleo.nancy@epa.gov](mailto:tommelleo.nancy@epa.gov)

**Confidentiality Notice:** This communication is being sent to you by an attorney and is

intended only for the individual(s) or entity(s) to whom or to which it is addressed. This communication may contain information that is proprietary, privileged, enforcement confidential, or otherwise legally exempt from disclosure. If you have received this message in error, please notify the sender immediately by email and delete all copies of this message.

**From:** O'Lone, Mary

**Sent:** Wednesday, September 14, 2016 3:00 PM

**To:** Tommelleo, Nancy <[Tommelleo.Nancy@epa.gov](mailto:Tommelleo.Nancy@epa.gov)>

**Cc:** Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>; Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>

**Subject:** REACH - request to set up call with R4 water folks

Nancy-

Per our conversation a week or so ago, would it be possible to set up a call next week with some combination of your water folks (*e.g.*, Denisse, Dan O., Don) to talk about R4 & CAFOs in NC. We are thinking probably Thursday or Friday. I have been getting tutoring from OGC & HQ folks on the basics of what can & can't be done under the CWA. Most conversations come back to "R4 would know more about this on the ground" or "maybe R4 has done this already."

Also, I don't know if Denisse, Dan, & Don are NPDES-only or also cover drinking water/groundwater issues. If they do both, we'd like to talk about that too. If not, we'd like to set up a separate chat with appropriate R4 folks on drinking water/groundwater too.

Let me know if I should send out and invite & to whom I should send it. Or if you want to set it up. Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**To:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Wilson, Adam  
**Sent:** Wed 9/28/2016 5:53:36 PM  
**Subject:** Re: REACH - draft response to NC DEQ's request for dismissal

I noticed that, too. Weirdly the version I saved to my folder now has the header and page numbers, but I didn't change a thing. I have no idea why.

Adam Wilson

Civil Rights and Finance Law Office

Office of General Counsel (MC 2399A)

U.S. Environmental Protection Agency

1200 Pennsylvania Ave, NW

Washington, DC 20460

(202) 564-3357



---

**From:** O'Lone, Mary  
**Sent:** Wednesday, September 28, 2016 1:40:27 PM  
**To:** Wilson, Adam  
**Subject:** RE: REACH - draft response to NC DEQ's request for dismissal

I worked from yours accepting Lilian's – but the version you sent me didn't have a header or

page numbers. I think they are still there – but I can't see them.

Do you have some funny settings going on that hides that hides them.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Wilson, Adam

**Sent:** Wednesday, September 28, 2016 11:19 AM

**To:** O'Lone, Mary <OLone.Mary@epa.gov>

**Subject:** Re: REACH - draft response to NC DEQ's request for dismissal

Hi Mary,

I'm taking this email off-line (not "reply all") to point out a three little formatting errors in Lilian's draft. See attached. I imagine you might have some other edits to make, so you might as well work off this draft.

Adam Wilson

Civil Rights and Finance Law Office

Office of General Counsel (MC 2399A)

U.S. Environmental Protection Agency

1200 Pennsylvania Ave, NW

Washington, DC 20460

(202) 564-3357



---

**From:** Dorka, Lilian

**Sent:** Wednesday, September 28, 2016 9:43:08 AM

**To:** O'Lone, Mary

**Cc:** Temple, Kurt; Rhodes, Julia; Isales, Daniel; Wilson, Adam; Covington, Jeryl; Farrell, Ericka; Shenkman, Ethan; Prabhu, Aditi; Packard, Elise; Johnson, Johanna

**Subject:** RE: REACH - draft response to NC DEQ's request for dismissal

Thanks so much for preparing an outstanding draft response! I do have some edits (see attached) but the draft was excellent and I cannot wait to issue it! ☺ I think we will need to vet this – at least through OGC/Avi and give Matt and Nancy Grantham (OPA) a heads up before we issue it.

Also, I think it would be really great if the complainants received a copy of this letter – in the interest of transparency, and I think it speaks volumes re our work on this case and that we are moving the investigation along. What does GC think about that?

Thanks again for drafting this! Lilian

Lilian Sotolongo Dorka

Acting Director, EPA, Office of Civil Rights

202-564-9649

WJC-N Room 2450

**From:** O'Lone, Mary

**Sent:** Friday, September 23, 2016 5:28 PM

**To:** Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)>

**Cc:** Temple, Kurt <[Temple.Kurt@epa.gov](mailto:Temple.Kurt@epa.gov)>; Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>; Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>; Wilson, Adam <[wilson.adam@epa.gov](mailto:wilson.adam@epa.gov)>; Covington, Jeryl <[Covington.Jeryl@epa.gov](mailto:Covington.Jeryl@epa.gov)>; Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>; Shenkman, Ethan <[Shenkman.Ethan@epa.gov](mailto:Shenkman.Ethan@epa.gov)>; Prabhu, Aditi <[Prabhu.Aditi@epa.gov](mailto:Prabhu.Aditi@epa.gov)>; Packard, Elise <[Packard.Elise@epa.gov](mailto:Packard.Elise@epa.gov)>; Johnson, Johahna <[Johnson.Johahna@epa.gov](mailto:Johnson.Johahna@epa.gov)>

**Subject:** REACH - draft response to NC DEQ's request for dismissal

Lilian-

Adam & I have drafted a proposed response to NC DEQ along the lines that you & I discussed on Monday morning. Dan has taken a peek at it as well. We have left a spot to put in questions or a request for documents if we choose to include some in the letter. The Team will be sending suggestions to Dan on Monday morning on which items from the draft RFI they'd propose if we use.

I have included the incoming from NC DEQ for your reference.

Ethan asked to have a chance to take a look at the draft, so I have cc'd him on this. What I can't recall is whether Avi said he wanted to see it before it went out as well.

Ethan – Do you recall?

Let me know if you have any questions or comments.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992



**To:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Wilson, Adam  
**Sent:** Wed 9/28/2016 3:18:39 PM  
**Subject:** Re: REACH - draft response to NC DEQ's request for dismissal  
[draft response to NC DEQ dismissal request 2016 9-28-16 DORKA AW.docx](#)

Hi Mary,

I'm taking this email off-line (not "reply all") to point out a three little formatting errors in Lilian's draft. See attached. I imagine you might have some other edits to make, so you might as well work off this draft.

Adam Wilson

Civil Rights and Finance Law Office

Office of General Counsel (MC 2399A)

U.S. Environmental Protection Agency

1200 Pennsylvania Ave, NW

Washington, DC 20460

(202) 564-3357



---

**From:** Dorka, Lilian  
**Sent:** Wednesday, September 28, 2016 9:43:08 AM  
**To:** O'Lone, Mary

**Cc:** Temple, Kurt; Rhodes, Julia; Isales, Daniel; Wilson, Adam; Covington, Jeryl; Farrell, Ericka; Shenkman, Ethan; Prabhu, Aditi; Packard, Elise; Johnson, Johahna

**Subject:** RE: REACH - draft response to NC DEQ's request for dismissal

Thanks so much for preparing an outstanding draft response! I do have some edits (see attached) but the draft was excellent and I cannot wait to issue it! ☺ I think we will need to vet this – at least through OGC/Avi and give Matt and Nancy Grantham (OPA) a heads up before we issue it.

Also, I think it would be really great if the complainants received a copy of this letter – in the interest of transparency, and I think it speaks volumes re our work on this case and that we are moving the investigation along. What does GC think about that?

Thanks again for drafting this! Lilian

Lilian Sotolongo Dorka

Acting Director, EPA, Office of Civil Rights

202-564-9649

WJC-N Room 2450

**From:** O'Lone, Mary

**Sent:** Friday, September 23, 2016 5:28 PM

**To:** Dorka, Lilian <Dorka.Lilian@epa.gov>

**Cc:** Temple, Kurt <Temple.Kurt@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Wilson, Adam <wilson.adam@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Shenkman, Ethan <Shenkman.Ethan@epa.gov>; Prabhu, Aditi <Prabhu.Aditi@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>

**Subject:** REACH - draft response to NC DEQ's request for dismissal

Lilian-

Adam & I have drafted a proposed response to NC DEQ along the lines that you & I discussed on Monday morning. Dan has taken a peek at it as well. We have left a spot to put in questions or a request for documents if we choose to include some in the letter. The Team will be sending suggestions to Dan on Monday morning on which items from the draft RFI they'd propose if we

use.

I have included the incoming from NC DEQ for your reference.

Ethan asked to have a chance to take a look at the draft, so I have cc'd him on this. What I can't recall is whether Avi said he wanted to see it before it went out as well.

Ethan – Do you recall?

Let me know if you have any questions or comments.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**To:** Patrick, Monique[Patrick.Monique@epa.gov]  
**Cc:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Packard, Elise  
**Sent:** Thur 1/5/2017 2:54:34 PM  
**Subject:** FW: UPDATE -- RE: REACH - updated draft letter  
[draft REACH LOC to NC DEQ 1.4.2017.redline.docx](#)

Can you please set up a meeting with Avi, Ethan, Lilian Dorka, me, and Mary O'Lone to discuss the REACH letter attached? Early Monday would be great.

Elise B. Packard

Associate General Counsel for Civil Rights and Finance

U.S. EPA Office of General Counsel, Rm. 7353C

(202) 564-7729

**From:** O'Lone, Mary  
**Sent:** Thursday, January 05, 2017 8:55 AM  
**To:** Garbow, Avi <Garbow.Avi@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Shenkman, Ethan <Shenkman.Ethan@epa.gov>  
**Cc:** Isales, Daniel <Isales.Daniel@epa.gov>; Wilson, Adam <wilson.adam@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>  
**Subject:** UPDATE -- RE: REACH - updated draft letter

All-

Drat.

I am sorry I sent an old version.

Here is the correct version.

[I hate the new version of Word.]

Thanks, Mary

Mary M. O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** O'Lone, Mary

**Sent:** Wednesday, January 04, 2017 5:42 PM

**To:** Garbow, Avi <[Garbow.Avi@epa.gov](mailto:Garbow.Avi@epa.gov)>; Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)>; Packard, Elise <[Packard.Elise@epa.gov](mailto:Packard.Elise@epa.gov)>; Shenkman, Ethan <[Shenkman.Ethan@epa.gov](mailto:Shenkman.Ethan@epa.gov)>

**Cc:** Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>; Wilson, Adam <[wilson.adam@epa.gov](mailto:wilson.adam@epa.gov)>; Redden, Kenneth <[Redden.Kenneth@epa.gov](mailto:Redden.Kenneth@epa.gov)>

**Subject:** REACH - updated draft letter

Avi, Lilian, Ethan, & Elise-

Attached is the current draft of the REACH letter. It contains comment bubbles to program offices with specific requests for assistance.

The red text is new to Lilian. I wanted her to have a chance to look at it before she forwards the letter to the program offices (ORD, OECA, OW, OAR, & OLEM) for review.

In Lilian's cover email circulating the draft for review, she will mention that this version incorporates comments from OGC, DOJ, R4, & ORD.

I will circulate this draft to DOJ for one last look & I am sending it to Simma in WLO.

Thanks, Mary

Mary M. O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**To:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Packard, Elise  
**Sent:** Mon 1/2/2017 11:01:39 PM  
**Subject:** Re: DRAFT REACH LETTER TO NC DEQ

Thank you!

Sent from my iPhone  
Elise Packard  
202 564 7729

On Dec 31, 2016, at 6:25 PM, O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)> wrote:

All-

I have incorporated Lilian's last round of edits, DOJ's, ORD's & the one comment I have gotten from R4 thus far (from Nancy Tommelleo about mentioning the audit/privilege idea). I have tried to address each of Ethan's comments as well. Although there are a few places where he asked some questions where we could include more text. I haven't done it yet, but I can write more text in those places if that is what is wanted.

I still need to fill in some gaps, like # of studies in NC, list of peer reviewed studies for ORD to look at that will be included in the appendix.

Also, I have added a sentence about the Wing study & the peer review of Dr. Johnston's study. If we are going to include a mention of Dr. Johnston's study, I will need ORD to look at them both & make sure what I have written is accurate.

I can pick this up again on Tuesday.

Thanks, Mary

Mary M. O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Dorka, Lilian

**Sent:** Tuesday, December 27, 2016 10:57 AM

**To:** Lapierre, Kenneth <[Lapierre.Kenneth@epa.gov](mailto:Lapierre.Kenneth@epa.gov)>

**Cc:** HALIM-CHESTNUT, NAIMA <[Halim-Chestnut.Naima@epa.gov](mailto:Halim-Chestnut.Naima@epa.gov)>; Tommelleo, Nancy <[Tommelleo.Nancy@epa.gov](mailto:Tommelleo.Nancy@epa.gov)>; Peurifoy, Cynthia <[Peurifoy.Cynthia@epa.gov](mailto:Peurifoy.Cynthia@epa.gov)>; O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>; Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>; Packard, Elise <[Packard.Elise@epa.gov](mailto:Packard.Elise@epa.gov)>; Shenkman, Ethan <[Shenkman.Ethan@epa.gov](mailto:Shenkman.Ethan@epa.gov)>; Temple, Kurt <[Temple.Kurt@epa.gov](mailto:Temple.Kurt@epa.gov)>; Covington, Jeryl <[Covington.Jeryl@epa.gov](mailto:Covington.Jeryl@epa.gov)>; Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>; Isales, Daniel <[Isales.Daniel@epa.gov](mailto:Isales.Daniel@epa.gov)>; Wilson, Adam <[wilson.adam@epa.gov](mailto:wilson.adam@epa.gov)>

**Subject:** DRAFT REACH LETTER TO NC DEQ

Hello Ken, hope you had a wonderful Christmas. Attached is the latest draft of the proposed letter to NC DEQ that we hope to issue beginning of January. This version reflects staff level comments from OCR, GC, DOJ, has some additional comments from me. The attached does not reflect Ethan's comments or DOJ senior level yet, but I thought we should get this to you ASAP to expedite review. Please let me know if you have any questions. Thanks and Happy New Year!  
Lilian

<draft REACH LOC to NC DEQ 12.31.2016.docx>



**To:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Johnson, Johahna  
**Sent:** Tue 5/10/2016 9:38:15 PM  
**Subject:** Johnston draft questions for tomorrow  
Dr. Johnston interview Qs - 5-11-16.docx

Please see attached. I had a couple of questions for you and one for Ericka (in comments).

Johahna Johnson

Civil Rights and Finance Law Office

Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-6119

**To:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Johnson, Johahna  
**Sent:** Fri 7/15/2016 1:16:22 PM  
**Subject:** RE: Beginning of REACH briefing paper to move plan forward  
REACH Plan 6 14 2016-jj.docx

Here is what I sent to Julia. I am not sure if she had a chance to add anything or edit it further.

Johahna Johnson

Civil Rights and Finance Law Office

Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-6119

**From:** O'Lone, Mary  
**Sent:** Friday, July 15, 2016 9:12 AM  
**To:** Johnson, Johahna <Johnson.Johahna@epa.gov>  
**Subject:** RE: Beginning of REACH briefing paper to move plan forward

Did you have any comments on the briefing paper? I am going to pick it up again.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Johnson, Johahna  
**Sent:** Wednesday, June 15, 2016 9:51 PM  
**To:** O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>  
**Subject:** RE: Beginning of REACH briefing paper to move plan forward

Received. Also received a number of other emails from you, including the draft OW email.  
Thank you for sending all of this before you left!

Have a great trip!

Johahna Johnson

Civil Rights and Finance Law Office

Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-6119

**From:** O'Lone, Mary  
**Sent:** Wednesday, June 15, 2016 7:01 PM  
**To:** Johnson, Johahna <[Johnson.Johahna@epa.gov](mailto:Johnson.Johahna@epa.gov)>; Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>  
**Cc:** Packard, Elise <[Packard.Elise@epa.gov](mailto:Packard.Elise@epa.gov)>  
**Subject:** Beginning of REACH briefing paper to move plan forward

All-

Sorry I couldn't massage it much more, but I do think it is a good start. (This version of the paper is not in the REACH files on the I drive). I do believe that language draft letter is Lilian approved from earlier this year.

Ex. 5 - Atty Client/Deliberative Process

I have also attached the draft DOJ chapter on intent so Johahna can pull out an Arlington Heights

+ foreseeability description. I sent Johanna my cache of deliberate indifference/foreseeability emails (some of which were from her).

Signing off now. Good luck & have fun.

Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**To:** O'Lone, Mary[o'lonemary@epa.gov]  
**From:** Utting, George  
**Sent:** Tue 4/19/2016 6:47:08 PM  
**Subject:** RE: Urgent need for OW contact for OCR Complaint 11R-14-R4 - CAFO Complaint

Hi Mary. Just checking in. Did you want to talk today?

George Utting  
Water Permits Division (MC-4203M)  
U.S. EPA, 1200 Pennsylvania Avenue, NW,  
Washington, DC 20460-0001  
(202) 564-0744 / Fax (202) 564-6384

-----Original Message-----

From: O'Lone, Mary  
Sent: Monday, April 18, 2016 11:28 AM  
To: Utting, George <Utting.George@epa.gov>  
Subject: Re: Urgent need for OW contact for OCR Complaint 11R-14-R4 - CAFO Complaint

I will keep your schedule in mind & look at your calendar.  
We need to pull ourselves together & I need to see if I can find Dr. Wing's recent study related to water impacts from swine CAFOs.  
I am thinking it will be tomorrow at earliest we'd try to set up a call.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

---

From: Utting, George  
Sent: Monday, April 18, 2016 11:05 AM  
To: O'Lone, Mary  
Subject: RE: Urgent need for OW contact for OCR Complaint 11R-14-R4 - CAFO Complaint

Ok. Just let me now when you want to connect. You can send me an appointment or just email me with a time. I'm part-time teleworking this week and next week. If you give me a heads up, I can be available regardless of the time, assuming no conflicts.

Also, if you think it would be helpful for me to review any information in advance, let me know. I've got one high priority matter I'm working on right now, but I can spend some time preparing for our discussion. If you are just looking for input on Clean Water Act or NPDES issues, then I probably don't need to prepare much.

George

George Utting

Water Permits Division (MC-4203M)  
U.S. EPA, 1200 Pennsylvania Avenue, NW,  
Washington, DC 20460-0001  
(202) 564-0744 / Fax (202) 564-6384

-----Original Message-----

From: O'Lone, Mary  
Sent: Monday, April 18, 2016 10:54 AM  
To: Utting, George <Utting.George@epa.gov>  
Cc: Shapiro, Mike <Shapiro.Mike@epa.gov>; Wiedeman, Allison <Wiedeman.Allison@epa.gov>; Nagle, Deborah <Nagle.Deborah@epa.gov>; Brennan, Ross <Brennan.Ross@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>  
Subject: Re: Urgent need for OW contact for OCR Complaint 11R-14-R4 - CAFO Complaint

Great. Likely a little later this afternoon.  
Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

---

From: Utting, George  
Sent: Monday, April 18, 2016 9:53 AM  
To: O'Lone, Mary  
Cc: Shapiro, Mike; Wiedeman, Allison; Nagle, Deborah; Brennan, Ross  
Subject: RE: Urgent need for OW contact for OCR Complaint 11R-14-R4 - CAFO Complaint

Hi Mary.

Please feel free to contact me concerning this matter. I can be reached by email or by phone at

**Ex. 6 - Personal Privacy**

Ex. 6 - Personal Privacy

George Utting  
Water Permits Division (MC-4203M)  
U.S. EPA, 1200 Pennsylvania Avenue, NW,  
Washington, DC 20460-0001  
(202) 564-0744 / Fax (202) 564-6384

-----Original Message-----

From: Wiedeman, Allison  
Sent: Monday, April 18, 2016 9:20 AM  
To: Utting, George <Utting.George@epa.gov>; Nagle, Deborah <Nagle.Deborah@epa.gov>; Brennan, Ross <Brennan.Ross@epa.gov>  
Cc: Shapiro, Mike <Shapiro.Mike@epa.gov>  
Subject: RE: Urgent need for OW contact for OCR Complaint 11R-14-R4 - CAFO Complaint

Thanks kGeorge - please keep my posted. You might go ahead and contact Mary - Deborah is out this week

Allison Wiedeman  
U.S. Environmental Protection Agency  
Chief, Rural Branch  
Water Permits, Office of Water  
Rm 7146 EPA East  
Washington, D.C. 20460  
202 564 0901

-----Original Message-----

From: Utting, George  
Sent: Monday, April 18, 2016 8:07 AM  
To: Nagle, Deborah <Nagle.Deborah@epa.gov>; Brennan, Ross <Brennan.Ross@epa.gov>  
Cc: Shapiro, Mike <Shapiro.Mike@epa.gov>; Wiedeman, Allison <Wiedeman.Allison@epa.gov>  
Subject: RE: Urgent need for OW contact for OCR Complaint 11R-14-R4 - CAFO Complaint

Yes. I am available and can help.

As I recall, we were involved tangentially in this matter as a result of the FOIA we received from Mona Lisa Wallace in February 2015.

Let me know if you would like me to contact Mary. Otherwise, I can be reached by email or by phone at

## **Ex. 6 - Personal Privacy**

George

George Utting  
Water Permits Division (MC-4203M)  
U.S. EPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460-0001  
(202) 564-0744 / Fax (202) 564-6384

-----Original Message-----

From: Nagle, Deborah  
Sent: Sunday, April 17, 2016 5:53 PM  
To: Brennan, Ross <Brennan.Ross@epa.gov>; Utting, George <Utting.George@epa.gov>  
Cc: Shapiro, Mike <Shapiro.Mike@epa.gov>; Wiedeman, Allison <Wiedeman.Allison@epa.gov>  
Subject: Re: Urgent need for OW contact for OCR Complaint 11R-14-R4 - CAFO Complaint

George

I know you are working off site, but can you provide some assistance to Mary O'lone on the NC title VI complaint in Louis' absence. Please let me know

Deborah

Sent from my iPhone

> On Apr 17, 2016, at 5:34 PM, Shapiro, Mike <Shapiro.Mike@epa.gov> wrote:  
>  
> Deborah,  
>  
>  
> See the note below from Mary O'Lone, who is requesting some assistance in Louis' absence with

respect to the North Carolina Title VI complaint. Is there anyone who could provide some short term help over the next few days?

>

>

> Mike

>

>

>

> From: O'Lone, Mary

> Sent: Friday, April 15, 2016 4:46 PM

> To: Shapiro, Mike

> Cc: Dorka, Lilian; Golightly-Howell, Velveta; simons.vickie@epa.gov;

> Temple, Kurt; Farrell, Ericka

> Subject: Urgent need for OW contact for OCR Complaint 11R-14-R4 - CAFO

> Complaint

>

>

> Mike-

>

> I was going to email Louis who you'd given Velveta as the OW contact, but I see he is out of the office until next Thursday. We've just been notified today that Dr. Steven Wing, the author of the disproportionate impact study Earthjustice submitted in the NC swine CAFO Title VI complaint

Ex. 6 - Personal Privacy

**Ex. 6 - Personal Privacy**

it will likely be in the next two weeks.

>

>

> While Dr. Wing's disproportionate impact study (I have attached it as FYI) is not focused on water issues per se, another recent study he authored (which I don't yet have a copy of) that is discussed in this article is. The article lays out some basic critiques of Dr. Wing's water study by the pork industry. <http://www.scientificamerican.com/article/pig-poop-fouls-north-carolina-streams/>

>

>

> Is there someone we can speak with in OW early next week to help us

> prepare for the interview. Thanks so much, Mary

>

>

> Mary O'Lone

>

> Civil Rights and Finance Law Office

>

> Office of General Counsel

>

> US EPA

>

> 1200 Pennsylvania Ave., NW

>

> Washington, DC 20460

>

> (202) 564-4992

>

>

>

> From: Shapiro, Mike

> Sent: Sunday, March 13, 2016 9:32 PM

> To: Golightly-Howell, Velveta; Shaw, Betsy; Starfield, Lawrence

> Cc: Dorka, Lilian; Covington, Jeryl; Farrell, Ericka; Temple, Kurt;

> Packard, Elise; Rhodes, Julia; O'Lone, Mary; Harrell, Collette; Eby,



> Louis; Nagle, Deborah; Simons, Vicki  
> Subject: RE: EPA OCR Complaint 11R-14-R4 (ADR)  
>  
>  
> Velveta,  
>  
>  
>  
> Louis Eby will serve as the OW POC for this case.  
>  
>  
>  
> Mike  
>  
>  
>  
> Michael Shapiro  
>  
> Deputy Assistant Administrator, Office of Water  
>  
> US EPA, 4101M  
>  
> 1200 Pennsylvania Ave., NW  
>  
> Washington, DC 20460  
>  
> 202-564-5700  
>  
>  
>  
> From: Golightly-Howell, Velveta  
> Sent: Wednesday, March 09, 2016 11:58 AM  
> To: Shaw, Betsy <Shaw.Betsy@epa.gov>; Shapiro, Mike  
> <Shapiro.Mike@epa.gov>; Starfield, Lawrence  
> <Starfield.Lawrence@epa.gov>  
> Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>; Covington, Jeryl  
> <Covington.Jeryl@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>;  
> Temple, Kurt <Temple.Kurt@epa.gov>; Packard, Elise  
> <Packard.Elise@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; O'Lone,  
> Mary <o'lone.mary@epa.gov>; Harrell, Collette  
> <Harrell.Collette@epa.gov>  
> Subject: EPA OCR Complaint 11R-14-R4 (ADR)  
>  
>  
>  
> Hello Betsy, Mike and Larry. I'm writing to let you know that Marianne Lado Engelman of Earthjustice, the lead representative for complainants, has contacted me regarding REACH. the Title VI discrimination complaint which alleges race and national origin discrimination related to swine feeding operations in North Carolina. Ms. Lado Engelman advised that the complainants have concluded that ADR is unproductive; they therefore request that OCR reinstate its investigation. In requesting recommencement of the investigation, Ms. Lado Engelman stated:  
>  
>  
>  
> "Finally, we wanted to mention that our initial mediation session was interrupted by an effort by the National and North Carolina Pork Councils to interject themselves into the mediation process. Despite

the terms of ADR, which included a requirement that mediation be confidential, and despite our clear opposition to their self-styled "motion to intervene" in the complaint and mediation process, five representatives from the Pork Council appeared without notice to Complainants at the first mediation session. Their presence and insistence at playing a role in mediation delayed the start of our session and acted as a form of intimidation of our clients. Representatives from DEQ failed to object to the behavior. Indeed, quite the opposite, they tried to persuade Complainants to consent to bringing the Pork Councils into mediation. We thought it was relevant and important to bring these events to your attention."

>

>

>

> FYI, in response to the councils' request to intervene in ADR, in or about January, I notified the requesters that the parties would have to agree to include them and that OCR does not participate in ADR. Ms. Lado Engelman was copied on the response.

>

>

>

> As ADR has ended, OCR will relaunch its complaint investigation. Shortly after OCR began the investigation, you provided POCs for your office. We realize that they may have changed. Would you please provide the names of current POCs ASAP and by Friday, 3/18?

>

>

>

> Thank you for your ongoing assistance!

>

>

>

> Velveta

>

>

>

> Velveta Golightly-Howell

>

> Director, Office of Civil Rights

>

> Environmental Protection Agency

>

> 1200 Pennsylvania Avenue, N.W.

>

> Mail Code 1201A

>

> Washington, DC 20460

>

> 202-564-6685

>

>

> <Wing 2000 CAFO study.pdf>

**To:** Johnson, Johahna[Johnson.Johahna@epa.gov]; O'Lone, Mary[o'lonemary@epa.gov]  
**From:** Rhodes, Julia  
**Sent:** Thur 3/17/2016 4:19:20 PM  
**Subject:** RE: Please review - draft REACH RFI  
REACH RFI 3 17 2016 jar.docx

Hi. Attached are my comments.

Julia Rhodes

Assistant General Counsel for the Civil Rights Practice Group

Civil Rights and Finance Law Office

Office of General Counsel

Environmental Protection Agency

1200 Pennsylvania Avenue, NW, 2399A

Washington, DC 20460

Phone: 202.564.1417

**From:** Johnson, Johahna  
**Sent:** Thursday, March 17, 2016 11:56 AM  
**To:** O'Lone, Mary <o'lonemary@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>  
**Subject:** RE: Please review - draft REACH RFI

Hi Mary,

I found one minor typo. Should the March 7 date identified in the first sentence of the cover letter be 2016?

Johahna Johnson

Civil Rights and Finance Law Office

Office of General Counsel

U.S. Environmental Protection Agency

(202) 564-6119

**From:** O'Lone, Mary

**Sent:** Wednesday, March 16, 2016 8:38 PM

**To:** Rhodes, Julia <[Rhodes.Julia@epa.gov](mailto:Rhodes.Julia@epa.gov)>; Johnson, Johahna <[Johnson.Johahna@epa.gov](mailto:Johnson.Johahna@epa.gov)>

**Subject:** Please review - draft REACH RFI

J & J-

You only need to look at cover letter & RFI questions #2 & 15.

The other ones are from last year & the procedural safeguard provisions letter.

Ex. 5 - Atty Client/Deliberative Process

I will send to Ericka, Jeryl & Lilian after you 2 look at it.

Also, I really don't know what to say about the fact that we are asking for stuff in the RFI beyond the accepted allegation. I think I am too tired to think of an elegant way around it. You will see bubble about it. Any suggestions you may have would be great.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

**To:** O'Lone, Mary[OLone.Mary@epa.gov]  
**From:** Covington, Jeryl  
**Sent:** Wed 9/7/2016 12:01:10 PM  
**Subject:** RE: EPA OCR File No. 11R-14-R4- COMPLAINANTS' CI BRIEF

If you look at the WQ map presented, they identified HQW where the state has not made such designations. The designation for classified HQW are: WS-I, WS-II, SA, ORW (outstanding resource waters), PNA (primary nursery areas), and HQW. The waterbodies/streams areas within the location of Sampson and Duplin counties do not have many of these designations. There is one (1) area within southern Duplin County (near Pender County) designated as HQW; and there are two (2) small stretches of stream that are designated as recreational waters which are not considered HQW.

Nutrient sensitive waters (Neuse River Basin) are located north of this area (Johnston, Wayne, Lenoir, Greene, Pitt, Wake, Franklin, Nash, Jones, Pamlico, etc.).

Finally, much of this area does not included large areas included in water supply watersheds.

**From:** O'Lone, Mary  
**Sent:** Wednesday, September 07, 2016 7:40 AM  
**To:** Covington, Jeryl <Covington.Jeryl@epa.gov>  
**Subject:** RE: EPA OCR File No. 11R-14-R4- COMPLAINANTS' CI BRIEF

Really, what do you mean?

It has wrong information?

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Covington, Jeryl

**Sent:** Wednesday, September 07, 2016 7:35 AM

**To:** O'Lone, Mary <OLone.Mary@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Wilson, Adam <wilson.adam@epa.gov>

**Cc:** Farrell, Ericka <Farrell.Ericka@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>

**Subject:** RE: EPA OCR File No. 11R-14-R4- COMPLAINANTS' CI BRIEF

Please note that the WQ map cited by the Waterkeepers is not consistent with the waterbodies/stream designations.

**From:** O'Lone, Mary

**Sent:** Wednesday, September 07, 2016 7:27 AM

**To:** Isales, Daniel <Isales.Daniel@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Wilson, Adam <wilson.adam@epa.gov>

**Cc:** Covington, Jeryl <Covington.Jeryl@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>

**Subject:** FW: EPA OCR File No. 11R-14-R4- COMPLAINANTS' CI BRIEF

Team-

FYI (Dan, Johahna, & Adam didn't get the copy of the letter).

I have wondered why they didn't include poultry in the initial complaint b/c that permit was renewed at same time. I suspected it is b/c they were asserting the case had been proved with Dr. Wing's body of research which is swine focused. In June, Waterkeepers & EWG released an interactive mapping tool ([http://www.ewg.org/interactive-maps/2016\\_north\\_carolina\\_animal\\_feeding\\_operations.php](http://www.ewg.org/interactive-maps/2016_north_carolina_animal_feeding_operations.php)) of the swine & poultry farms in NC (it is cited to in the attached document). I gather NC DEQ does not either collect or make public the locations of poultry farms, so until now Earthjustice did not have think they had enough location information to tie the two together. Waterkeepers & EWG used a variety of publically available information to determine where they were.

Regardless of why, they are raising impacts of the poultry permits now.

## Ex. 5 - Atty Client/Deliberative Process

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

**From:** Haddix, Elizabeth McLaughlin [<mailto:emclaugh@email.unc.edu>]

**Sent:** Friday, September 02, 2016 3:42 PM

**To:** Dorka, Lilian <[Dorka.Lilian@epa.gov](mailto:Dorka.Lilian@epa.gov)>; Covington, Jeryl <[Covington.Jeryl@epa.gov](mailto:Covington.Jeryl@epa.gov)>; Farrell, Ericka <[Farrell.Ericka@epa.gov](mailto:Farrell.Ericka@epa.gov)>; O'Lone, Mary <[OLone.Mary@epa.gov](mailto:OLone.Mary@epa.gov)>; 'Neal, Daria (CRT)' <[Daria.Neal@usdoj.gov](mailto:Daria.Neal@usdoj.gov)>

**Cc:** Alexis Andiman <[aandiman@earthjustice.org](mailto:aandiman@earthjustice.org)>; Marianne Engelman Lado ([mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)) <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>; Ducharme, Brent <[ducharme@email.unc.edu](mailto:ducharme@email.unc.edu)>; Dorosin, Mark <[dorosin@email.unc.edu](mailto:dorosin@email.unc.edu)>

**Subject:** EPA OCR File No. 11R-14-R4- COMPLAINANTS' CI BRIEF

Dear Ms. Dorka,

Attached please find Complainants' letter brief regarding EPA's consideration of cumulative

impacts. We urge that consideration in OCR's investigation of the Title VI Complaint filed by our clients, the NC Environmental Justice Network, the Rural Empowerment Association for Community Help, and Waterkeeper Alliance, Inc., on Sept. 3, 2014. This filing marks the two year anniversary of the filing of this complaint; we join our clients in hoping for a just resolution before its third year anniversary.

Please let us know if we can be of assistance, and thank you for your and the investigative team's time and effort.

Respectfully,

Elizabeth

Elizabeth Haddix

Senior Staff Attorney

UNC Center for Civil Rights

323 West Barbee Chapel Rd.

Chapel Hill, NC 27517

Tel. 919.445.0176

Fax 919.843.6748

IMPORTANT: This email transmission is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient, or the employee or agency responsible for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by telephone at 919 445 0176. Thank you.



